



Crl.O.P.No.24595 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24595 of 2025

1.Dharma

2.Manikandan

3.Prabu

... Petitioners

Vs.

State rep by:-

The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.409 of 2025)

... Respondent

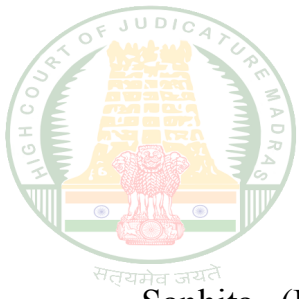
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in Crime No.409 of 2025 on the file of the respondent police.

For Petitioners : Mr.A.Sivapandi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 31.07.2025 for the alleged offence under Sections 287, 105 of Bharatiya Nyaya

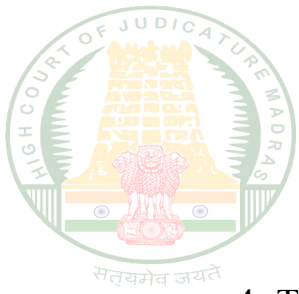


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Sanhita (BNS) Act 2023, r/w 3,5 of Explosive Substances Act, 1908, in Crime No.409 of 2025, on the file of respondent police, seeks bail.

2. The case of the prosecution is that on 30.07.2025, while taking the dead body in a funeral procession at Keelkuppam, Vellore, the complainant's husband was playing melam (drum). During the procession, crackers were burst nearby, and fire sparks fell on the crackers kept there, causing them to explode, in which the complainant's husband died and others were injured. Hence, the complaint.

3. The learned counsel for the petitioners submitted that on the date of the occurrence, there was a funeral procession in which the petitioners, along with the deceased, all being close relatives, participated. During the procession, crackers were burst nearby, which unfortunately resulted in the death of three persons. The counsel contended that the petitioners had no connection with the alleged incident, and the tragedy occurred accidentally. He further submits that the petitioners have been suffering incarceration from 31.07.2025. Hence, he seeks for grant of bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) raised objections, stating that the petitioners are ranked as A1 to A3, and along with A4, they were charged under Sections 287 and 105 of the BNS, 2023, read with Sections 3 and 5 of the Explosive Substances Act, 1908. The first petitioner was a drummer, while the second and third petitioners were relatives. All the petitioners participated in the funeral procession when the crackers exploded erratically, leading to the death of three persons and injuries to seven others. He further submitted that the investigation is now almost complete.

5. Considering the fact that the incident occurred during a funeral procession and that all the parties involved were close relatives, and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the *learned Judicial Magistrate No.II, Ulundurpet*, and on further conditions that:



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(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police on alternative days at 10.30 a.m. for the period of three months.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. However, noting that three persons, namely Moorthy, Singaravel, and Manigandan, died on the spot due to the cracker explosion, this Court refers the matter under the Victim Compensation Scheme. The District Legal Services Authority, Kallakurichi, is directed to refer the matter to the District Collector,



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Kallakurichi, and ensure victim compensation of Rs.2,00,000/- is provided to each of the deceased persons' families within a period of four weeks from the date of receipt of a copy of this order. The legal heirs of the deceased are permitted to withdraw the said amount in accordance with law.

09.09.2025

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To

- 1.The Judicial Magistrate No.II, Ulundurpet.
- 2.The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
3. The Superintendent of Prison, Central Prison, Cuddalore.
- 4.The Public Prosecutor, High Court of Madras.
5. The District Legal Services Authority, Kallakurichi,

Note :-

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the Official Website of this Court will be watermarked and will also have a QR Code.



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T.V.THAMILSELVI, J.
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